

ETL 1110-3-492  
12 Aug 98

Appendix A  
USACE Procurement Policy

**DEPARTMENT OF THE ARMY**  
U.S. Army Corps of Engineers  
WASHINGTON, D.C. 20314-1000

REPLY TO  
ATTENTION OF:  
CEPR-P (715)

1 JULY 1998

MEMORANDUM FOR COMMANDERS/DIRECTORS, ALL USACE COMMANDS

SUBJECT: Construction/Architect and Engineer Contract Y2K Direction/Language

1. Reference:

a. CEIM-P, memorandum dated 20 April 1998, subject: "Year 2000" or "Y2K" and Infrastructure.

b. SARD-PP, memorandum dated 21 October 1997, subject: Assuring Year 2000 Compliance in Information Technology (IT) Contracts. (Enclosed)

2. In furtherance of the referenced memorandum 1a, all new solicitations expected to result in a construction contract shall, effective immediately, include the requirement for Y2K compliance. This requirement should, in most cases, be stated in Section 00800, Special Contract Requirements, of the contract.

3. The following language recommended for inclusion in Section 00800 of construction contracts is intended to standardize the Y2K requirement throughout the Corps:

Year 2000 Compliance:

a. In accordance with FAR 39.106, the contractor shall ensure that with respect to any design, construction, goods, or services under this contract as well as any subsequent task/delivery orders issued under this contract (if applicable), all information technology contained therein shall be Year 2000 compliant. Specifically:

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b. New Contracts. The contractor shall:

(1) Perform, maintain, and provide an inventory of all major components to include structures, equipment, items, parts, and furnishings under this contract and each task/delivery order which may be affected by the Y2K compliance requirement.

(2) Indicate whether each component is currently Year 2000 compliant or requires an upgrade for compliance prior to government acceptance.

c. Existing Contracts. For existing construction contracts which presently do not contain the requirement for Y2K compliance, use the statements in paragraphs a and b above, to effect any required modification to the contract.

d. Architect and Engineer Contracts. The following language is provided for requesting Y2K compliance to be included in all products:

"Year 2000 Compliance; the Architect/Engineer (A-E) shall insure that the hardware, firmware, software, and information technology systems separately or in combination with each other or other elements specified in the documents developed under this contract shall be year 2000 compliant in accordance with FAR 39.106."

4. The Y2K contract compliance language provided for IT supply and services contracts in reference 1 b remains in effect.

5. In addition, you are requested to include in your Commander's Year 2000 (Y2K) Readiness Survey Certification to the USACE, Deputy Commanding General, a list of all identified active contracts that do not, but should have included Y2K compliance language, and what actions are being taken to obtain compliance in those contracts.

6. Questions may be addressed to my point of contact for this action is LTC Martin R. Tillman at (202) 761-8641.

FOR THE COMMANDER:

/s/

BUNNATINE H. GREENHOUSE  
Principal Assistant Responsible  
for Contracting